

**FLIESLER MEYER LLP****INTELLECTUAL PROPERTY LAW**

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AUG 10 2006

TO: USPTO/Mail Stop Missing Parts

FAX NO.: (571)273-8300

FROM: D. Benjamin Borson, Ph.D., Reg. No.: 42,349

RE:

Appl. No.: 10/568,573  
Confirm. No.: 7135  
Inventors: Gluckman, et al.  
Filed: February 16, 2006  
Based from Intl. Appli. No.: PCT/US2004/027187  
International Filing Date: August 19, 2004  
Title: SOMATOGENIC THERAPY USING A 20kda PLACENTAL VARIANT OF GROWTH HORMONE

DATE: August 10, 2006 Total Pages : 11 (including 1 pg. fax cover sheet)

Original will follow by mail: No

If you do not receive all of the pages, please call Sherri Hale, Assistant to D. Benjamin Borson, Ph.D., at 415.362.3800.

MESSAGE: Please see the attached:

1. Copy of Response to Notification of Missing Requirements...;
2. Declaration; and
3. Response to Notification of Missing... Transmittal.

This facsimile is intended only for the addressee and those authorized by the addressee to receive it. Any use, dissemination, distribution or copying of this facsimile by any others is prohibited. Any others receiving this facsimile are requested to notify FLIESLER MEYER LLP immediately by telephone or fax and to return the original facsimile to FLIESLER MEYER LLP.

AUG 10 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventors: Gluckman, et al.  
Appl. No.: 10/568,573  
Confirm. No.: 7135  
Filed: February 16, 2006  
Title: SOMATOGENIC THERAPY USING A 20kda  
PLACENTAL VARIANT OF GROWTH  
HORMONE

PATENT APPLICATION

Art Unit:  
Examiner:

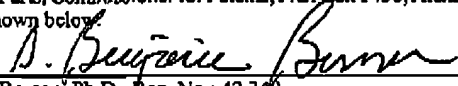
Customer No. 23910

Based from International Appli. No.: PCT/US2004/027187

International Filing Date: August 19, 2004

**CERTIFICATE OF TRANSMISSION/MAILING UNDER 37 C.F.R. § 1.8**

I hereby certify that this correspondence is being facsimile transmitted to (571) 273-8300 at the USPTO [total number of pages transmitted 11 [including 1 page cover sheet]. Mail Stop Missing Parts, Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia 22313-1450, on the date shown below:

 (Attorney Signature)  
D. Benjamin Borson, Ph.D., Reg. No.: 42,349  
Signature Date: August 10, 2006

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US), dated July 14, 2006, enclosed are the following documents in connection with the above-identified application:

✓ Copy of Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US).

✓ Declaration for Patent Application.

**Small Entity Statement**

☒ Applicant(s) qualify for small entity status under 37 C.F.R. § 1.27.

**Total Fee**

The Total Fee associated with this communication has been calculated as shown below:

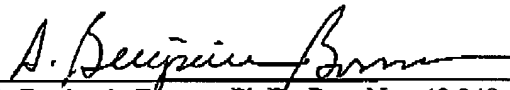
<input type="checkbox"/>	Patent application filing fee	\$
<input type="checkbox"/>	Net fee for extension of time	\$
<input type="checkbox"/>	Assignment recording fee (\$40.00)	\$
<input checked="" type="checkbox"/>	Surcharge under 37 C.F.R. §1.16(e) for late filing of filing fee or Declaration:	
<input type="checkbox"/>	Large Entity \$130.00	\$
<input checked="" type="checkbox"/>	Small Entity \$ 65.00	\$65.00
TOTAL FEE DUE:		<u>\$65.00</u>

**Method of Payment of Fees**

☒ The Commissioner is hereby authorized to charge any deficiencies or credit overpayment to Deposit Account No. 06-1325.

Respectfully submitted,

Date: August 10, 2006

By:   
D. Benjamin Borson, Ph.D., Reg. No.: 42,349

Customer No. 23910  
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Four Embarcadero Center, Fourth Floor  
San Francisco, California 94111-4156  
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08/15/2006 GFREY1 00000123 061325 10568573  
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AUG 10 2006



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/568,573	Peter Gluckman	ERNZ01016US3

23910  
FLIESLER MEYER, LLP  
FOUR EMBARCADERO CENTER  
SUITE 400  
SAN FRANCISCO, CA 94111

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JUL 20 2006

FLIESLER MEYER LLP

INTERNATIONAL APPLICATION NO.	
PCT/US04/27187	
IA FILING DATE	PRIORITY DATE
08/19/2004	08/20/2003

CONFIRMATION NO. 7135

371 FORMALITIES LETTER



\*OC000000019605398\*

Date Mailed: 07/14/2006

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 02/16/2006
- Copy of the International Search Report filed on 02/16/2006
- Information Disclosure Statements filed on 05/22/2006
- Small Entity Statement filed on 02/16/2006
- Request for Immediate Examination filed on 02/16/2006
- U.S. Basic National Fees filed on 02/16/2006
- Priority Documents filed on 02/16/2006
- Specification filed on 02/16/2006
- Claims filed on 02/16/2006
- Abstracts filed on 02/16/2006
- Drawings filed on 02/16/2006

Fliesler, Meyer LLP  
File: ERNZ-01082053  
Action Item: Missing Parts b/c  
Date Due: September 14, 2006  
Critical Date: January 14, 2007  
Attorney Path: DBB  
Docketed By: JCM  
Verified By: [Signature]

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/568,573	PCT/US04/27187	ERNZ01016US3

FORM PCT/DO/EO/905 (371 Formalities Notice)